



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of ) Examiner: Charles A. Marmor, II  
Burbank et al. )  
For: ELECTROSURGICAL BIOPSY DEVICE ) Group Art Unit: 3736  
AND METHOD )  
Serial No.: 10/650,027 )  
Filed: August 27, 2003 )  
Docket No.: R0367-00302 )

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RESPONSE TO NOTICE OF  
NON-COMPLIANT AMENDMENT

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this paper is being deposited in the United States mail as first class mail with postage prepaid, and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 1/20/2006 in San Francisco, CA.

By: Edward J. Lynch

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed November 22, 2004 from the Patent Office and in compliance with the requirements of 37 C.F.R. §1.121 concurrently filed herewith are replacement drawings of Figures 1, 5, 6, 9, 10, 15 and 16 which are identified in the top margin as such. Further in response to the Notice is the Resubmission of Amendment And Response To Office Action Mailed 10/25/2005 in which the claims are properly identified by status pursuant to 37 CFR 1.121 enclosed herewith.

Respectfully submitted,

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)  
**RESUBMISSION OF AMENDMENT**  
**AND RESPONSE**  
**TO OFFICE ACTION MAILED**  
**10/25/2005**

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CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. 1.8

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By: [Signature]

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on October 11, 2005 and pursuant to the Notice of Non-Compliant Amendment (37 CFR S1.121) mailed January 12, 2006, please amend the above-identified application as follows: